

**Golden Gate National Recreation Area
Fort Mason, San Francisco, California 94123**

**ADVANCED NOTICE OF PROPOSED RULEMAKING
PET MANAGEMENT IN GOLDEN GATE NATIONAL RECREATION AREA**

QUESTIONS AND ANSWERS

➤ What is an Advanced Notice of Proposed Rulemaking (ANPR)?

An Advanced Notice of Proposed Rulemaking (ANPR) is a preliminary step in the rulemaking process, published in the Federal Register to present options, questions, and ideas for a rule. During a specified period, the public is asked to comment on these options or to present options of their own. An ANPR does not include a preferred approach upon which comments are being solicited.

After the public comment period is over, a decision is made whether or not to initiate the rulemaking process, and if so, in what form.

➤ What are the guidelines that the ANPR and rulemaking process must follow?

Rules developed through this process must follow the Constitution, public laws, proclamations, executive orders, rules, NPS regulations and management policies, and the directives of the Secretary of the Interior, the Assistant Secretary for Fish and Wildlife and Parks, and the Director of the NPS.

➤ Why is GGNRA publishing the ANPR now?

Changes in recent years, combined with several recent events, have underscored the need for a review of pet management in GGNRA. The park has not been in compliance with the long-standing NPS regulation regarding pet management. Meanwhile, increased visitation to GGNRA, public concern about visitor and pet safety, park resource management issues involving wildlife and vegetation protection, and litigation concerning the Fort Funston Area of the park have combined to bring the issue of pet management to the forefront of GGNRA's management concerns.

➤ GGNRA is a national recreation area, although I have also heard it called Golden Gate National Parks. Do National Recreation Areas have different management policies than National Parks?

No, all units of the National Park System are managed as one, regardless of title. For clarification, the name Golden Gate National Parks was developed to include Fort Point National Historic Site and Muir Woods National Historic Site, which have been brought under the management of GGNRA and are within its boundaries, although they are separate units of the National Park system.

➤ How is the public involved in the ANPR process?

There is a 91-day public comment period, extended from the original 60 days, for this ANPR process during which the public is invited to submit comments.

There will be two public informational meetings on the ANPR cosponsored by the League of Women Voters and GGNRA. The first is in Marin on March 13 from 7:30 to 9:30 p.m. at the Showcase Theatre in the Marin Center in San Rafael. The second will be in San Francisco on March 19 from 7:00 to 9:00 p.m. at the McKenna Theatre at San Francisco State University. At these meetings, a panel of speakers will present many factors that you may want to consider in the comments you submit on the ANPR.

➤ How long is the public comment period for the ANPR and how do I send in comments?

The public comment period is 91 days (extended from the original 60 days) starting from the date of publication. Comments can be sent in writing to Superintendent, Golden Gate National Recreation Area, Attn: ANPR, Bldg. 201, San Francisco, CA, 94123; faxed to (415)-561-4355; or emailed to goga_pets_anpr@nps.gov

Oral comments will be taken on April 6, 2002, from 9:30 a.m. until 3:30 p.m. (3 minutes per speaker) at GGNRA, Upper Fort Mason, Bldg. 201, San Francisco.

➤ What should people consider when they comment on the ANPR?

Listed in the ANPR are the laws, policies and guidelines that govern the management of the NPS. These documents direct the NPS to preserve and protect the resources it manages, while providing for the enjoyment of visitors, both now and in the future. These directives must be adhered to in any management issue in a National Park.

A full copy of the ANPR and the background documents related to it can be viewed on the GGNRA web site www.nps.gov/goga/pets/anpr or in ANPR Reference Document binders in libraries and NPS visitor centers around the Bay Area. For specific sites where the ANPR binders can be reviewed, see the ANPR informational brochure.

➤ Who can comment on this ANPR?

All interested persons should submit their comments on any or all aspects of pet management presented in this ANPR.

➤ Who makes the final decision as to whether GGNRA will advance to rulemaking, and when will that decision be made?

The Director of the NPS, after reviewing the input received during the ANPR public comment period, will make the final decision on whether to proceed to rulemaking.

That decision will not be based on the number of comments received, but rather on substantive suggestions and comments that direct us toward a decision on pet management. Existing laws,

regulations and policies, as well as the environmental impacts associated with pet management will also be considered in the final decision.

Because an ANPR is a step in a process that could lead to rulemaking; it is a considerable undertaking, involving administrative coordination, publication of notices in the Federal Register, and a public comment period. It is unknown how long it will take to reach a final decision on this ANPR.

➤ If GGNRA advances to rulemaking, how will the process be handled?

If, through the ANPR process, the NPS determines that the existing pet regulation should be revised for GGNRA, then such a proposed regulation would be drafted in accordance with applicable laws, including the Administrative Procedures Act (APA), the National Environmental Policy Act (NEPA) and the National Historic Preservation Act.

➤ How does an ANPR for pet management at GGNRA affect other national park areas?

All National Park sites currently require pets, where permitted, to be on-leash under Title 36 of the Code of Federal Regulations. This ANPR applies only to GGNRA; if a proposed rule is developed, it will also apply only to GGNRA.

➤ Does this mean pets may be off leash in GGNRA during the ANPR process?

No. Pets are required to be on leash in areas of GGNRA where they are permitted, pursuant to Title 36 of the Code of Federal Regulations, unless a new regulation is promulgated.

➤ Where does the 1979 Pet Policy fit in?

The park, in error, implemented the 1979 “voice control” Pet Policy, in contradiction of service-wide regulations. For more than 20 years, this unofficial pet policy was in place within GGNRA. Due to recent events, GGNRA has undertaken a program to educate visitors about Section 2.15 in Title 36 of the Code of Federal Regulations, the National Park Service-wide regulation which requires that pets be on leash, where allowed, in all NPS sites.

➤ What will happen if a new pet management regulation for GGNRA is not developed?

Pets will continue to be required to be on leash in GGNRA areas where they are permitted, pursuant to Title 36 of the Code of Federal Regulations.

➤ How does this proposal fit in with other Bay Area land management agencies’s approach to off-leash use?

Other park and open space agencies in the San Francisco Bay Area have instituted their own leash regulations. Although many of those agencies are re-evaluating pet management, the ANPR process is applicable only to GGNRA.

➡ What is the fine for having pets off-leash in GGNRA?

The current citation for pets off-leash is \$50.00

➡ What number do I call if I have questions about the ANPR?

You can call 415-561-4728